IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.75 OF 2005

IN

SUIT NO.1339 OF 1987

1.M/s.S.Keer & Co.& others. ...Petitioners/
(orig.plffs)

VS.

1.M/s.Indian Velvets & others. ...Respondents/
(orig.defts)

Mr.Shekhar Shetye i/b. B.Amin & Co. for Petitioners.

Ms.Chandarkar i/b. M.K.Ambalal & Co., for Respondents.

CORAM: D.K.DESHMUKH, J.

DATED: 29TH JANUARY,2007.

P.C.:

1. No doubt there is an undertaking by the defendants to complete the work within the time stated in clause 7. As a consequence of failure on the part of the defendants to abide by that undertaking, the consent terms provide that in case the defendants fail to complete the work within the time allowed then they are liable to pay damages at the rate of Rs.10,000/- per day. In this situation,

therefore, in my opinion, it will not be appropriate to entertain the contempt petition. The petition is disposed of.